

To: Mid Sussex District Council – Planning Department

Planning Application: DM/26/1961 - Land at Foxhole Farm, Foxhole Lane, Bolney, West Sussex Approval of reserved matters (appearance, landscaping, layout and scale) following outline approval DM/25/1129 for 198 dwellings, including 60 affordable dwellings

Introduction

Bolney Parish Council objects to planning application DM/26/1961 concerning the proposed Reserved Matters for the development at Foxhole Farm, Bolney.

The Parish Council recognises that outline planning permission has already been granted under application DM/25/1129 and that the principle of residential development has been established. Its objection is directed towards the matters now before the District Council: layout, scale, appearance and landscaping, and the extent to which the detailed proposal satisfactorily responds to the character, landscape setting and residential environment of Bolney.

As well as the appearance, landscape, layout and scale of the proposals, the Parish Council is concerned about the impact of the proposed development on the character and setting of the Bolney Conservation Area and the listed buildings close to the site and the failure to consult with the MSDC Conservation Officer on the proposals, the proposed pedestrian and cycle access across third party owned land, the drainage proposals and the adequacy of the water harvesting and recycling proposals for the development.

1. Appearance

The proposed development for 200 homes is exceptionally large in relation to the existing village (259 homes at the last Census in 2021). The development will increase the homes in the village by 77% and the 200 new dwellings will therefore have a substantial effect on the character of Bolney.

The Parish Council has considered the various house types and designs proposed by the applicant and agrees with the MSDC Urban Designer that the ‘Architecture does not reflect the strongest qualities of Bolney, which has a unique and special character that should be referenced and reinforced’. The proposed design and style of the houses in the applicant’s proposals are unimaginative and will result in a monotonous and/or standardised estate character. The development fails to respond positively to the existing character of Bolney and instead introduces an unnecessarily uniform or suburban appearance.

At a pre-app meeting with the applicant, the MSDC Urban Designer commented that the proposed density ‘is perceived to be excessive resulting in overdevelopment of the site’. The Parish Council is disappointed that little has been done by the applicant to improve the perception of overdevelopment. The Parish Council is further disappointed there is insufficient variation in building form, exterior materials, roof treatments, building orientation and frontage treatment to create a coherent development which reflects the character of the houses and streetscapes of the existing village. In particular, it is concerned about the proposed designs for the houses that will front onto the the existing houses on the A272, Foxhole Lane and The Street.

The proposed house designs fail to respond to the local context and therefore conflict with the design policies in Policy DP26 of the adopted District Plan and Policy BOLD1 of the Bolney Neighbourhood Plan.

The Parish Council is concerned that the proposals create an overly urban appearance which will have a negative impact on the views into the site from the existing village, and which will impact on the character and setting of the southern section of the Bolney Conservation Area and of the Grade 1 Listed Parish Church, contrary to Policies DP34 and 35 of the adopted District Plan and to Policy BOLD1 of the Bolney Neighbourhood Plan. The site is visible from the church and churchyard and the Parish Council is concerned about the harmful impact that the urban sprawl will have on the setting of a listed church dating back to 1100AD.

The Parish Council is concerned to note that the MSDC Conservation Officer has not been consulted as a Statutory Consultee for her views either on the applicant's Heritage Compliance Statement, nor on the impact of the proposals on the setting of the nearby heritage assets in the village, despite a notice being issued confirming that the application affects the setting of a Conservation Area. Given the planning history of this site and its proximity not only to the Bolney Conservation Area but also to listed buildings, the Parish Council asks that this application is not determined until the Conservation Officer is consulted and has had the time to report to the case officer.

The applicant proposes several play areas across the site. It is the view of the Parish Council that again these show a lack of imagination with no equipment designed for older children or teenagers such as a large climbing frame or zip wire. Following a pre-application meeting with the applicant, the Parish Council suggested outdoor gym equipment and is disappointed that this has not been incorporated into the applicant's design.

The boundary treatments proposed are minimal with only a small hedge proposed along the sensitive eastern boundary and very little additional plantings along the western and southern boundaries to improve the appearance of the development. Flower meadows and small hedges will do little to mitigate the appearance of the development.

The applicant has failed to provide information about the lighting proposed across the site to protect the appearance of the site and to accord with Policy DP26 of the adopted District Plan. The Parish Council asks that this planning application is not determined until a detailed lighting plan has been produced by the applicant for consideration.

2. Landscaping

The landscape treatment of the application site is particularly important to the Parish Council because the site occupies a prominent position on the edge of Bolney and is close to existing residential properties, particularly along the eastern boundary of the site. It is the view of the Parish Council that the landscape planting must be sufficiently substantial from the outset and should be capable of establishing a convincing countryside edge.

The applicant's Levels Strategy plans show it is proposed to build multiple retaining walls across both the northern and southern parcels of housing. Retaining walls will be completely out of character with the existing landscape, and will negatively impact on the character of the site and on the views of the users of PRow44Bo that runs along the northern boundary of the site. The applicant must re-design the layout of the site to better work with the existing contours of the site so as to avoid the need for retaining walls.

The applicant's Landscape Planting Plans show a hedge and trees are proposed along the eastern boundary of the northern and central areas of the site. According to the applicant's Landscape Masterplan, these are to shield views into the site and mitigate against noise and light pollution for the benefit of adjacent properties, and especially to block potential glare from headlights from cars using the access road. But according to the applicant's Landscape Planting Plans Notes and Schedules document, the hedging plants will be 80-100cm in height which will do nothing to protect the amenity of the properties on The Street contrary to Policy DP26 of the adopted District Plan. The access road and properties proposed on the eastern side of the site will still overlook the existing properties on The Street resulting in a loss of privacy, noise and disturbance. It is imperative that the applicant does more to improve the landscape buffer on this side of the site so as to protect the amenity of residents on The Street so as to accord with Policy DP26.

Having considered the applicant's Design Statement, Landscape Planting Plans, Landscape Management Plan and Proposed Levels Strategy, the Parish Council is concerned about:

- the depth and effectiveness of the proposed landscape buffers;
- the adequacy of the proposed tree and hedge planting to mitigate the development and for privacy;
- the lack of information about the retention of existing trees and hedges;

- the lack of information about the proposed tree species and eventual mature sizes; and
- the details of the plans for the long-term ownership, management and maintenance of these planted areas.

The Parish Council asks that there be no determination of this planning application until this further information has been provided by the applicant so that the Parish Council can fully and properly assess the proposals for landscaping.

3. Layout

It is the Parish Council's view that the applicant's proposals should include a sensitive layout to integrate the development into its surroundings, to avoid creating a self-contained suburban estate on the edge of an ancient rural village. The Reserved Matters design should demonstrate that the additional development can be satisfactorily integrated without causing an unacceptable cumulative change to the character and identity of the village.

It is the Parish Council's view that the proposed layout fails to do this, as it fails to demonstrate a clear and convincing transition between the existing built form of Bolney and the countryside surrounding the site. The development will appear as an abrupt urban edge when viewed from surrounding roads, footpaths, properties and the wider countryside.

The Parish Council is concerned that the proposed layout and density do not provide sufficient visual separation and landscape transition to satisfactorily integrate such a substantial development into the existing village. The two concentrated housing areas to the north and south of the site will be out of character with the area and with the existing village.

The proposed layout places Plots 190 to 195 close to the boundary of the existing properties on The Street, with bedroom windows directly facing the rear gardens of the properties on The Street. House designs Bath, Esther, Poplar and Willow proposed for these Plots all have bedrooms at the front of the properties which will result in an unacceptable degree of overlooking and loss of privacy, contrary to Policy DP26 of the District Plan which seeks to protect residential amenity. The relationship between the proposed houses and the neighbouring properties should therefore be amended to either relocate the houses, or to re-orientate the relevant windows or to reduce the height of the houses on these Plots to single storey.

The proposed layout places 14 dwellings and garages, namely Plots 136 to 141, 167 to 172, and 156 and 157 along the northern boundary of the site together with an access road, with little or no landscape buffer beyond what is described by the applicant as 'flowering lawns'. This row of buildings will have a devastating impact on the views from ProW44Bo which runs along the northern boundary of the site contrary to Policy DP22 of the adopted District Plan. The existing rural views across agricultural fields to the Grade 1 listed church will be permanently lost and instead replaced with an urban housing estate located close to the PRoW. The applicant should look to move the line of buildings further away from the PRoW for the benefit of users, and to reduce the number of buildings to break up the walls of bricks and glass.

At a pre-app meeting with the Parish Council, the Council asked that the estate access road connecting the north and south parcels of housing be moved from the proposed route along the back of the gardens of the existing houses on The Street, and instead closer to the western side of the site to protect the amenity of the existing residents. The applicant responded that this was not possible as it would place the road along a ridge in the centre of the site which is not being built on, so as to protect the views into the site from nearby heritage assets. Given that in the draft District Plan currently at Examination, MSDC is now proposing to allocate 'land at Foxhole Farm Buildings' and 'land north of Foxhole Farm Buildings' for 33 homes on land on the same ridge, immediately adjacent to this central area of the Foxhole Farm site, the Parish Council suggests that the applicant's argument to avoid using the centre of the site is now lost, and that the access road should therefore be re-routed to the west so as to reduce noise, disturbance and lights from cars and coaches using the road for the benefit of existing residents living on The Street.

The Parish Council has repeatedly asked that the building for the charity Kangaroos, be moved from the northern parcel of housing development to a site at the north end of the southern parcel of housing. The original plans for the Foxhole Farm site in the draft District Plan (currently at Examination stage) had a community working hub building located in this position. The Parish Council is concerned that positioning the building close to the proposed pedestrian and cycle access from the site to The Street will result in visitors parking on The Street which will encourage and exacerbate parking issues in the village. Moving the building to the south would also mean that coaches and visiting cars would not need to use the access road to the northern section of the site, thereby reducing the noise and disturbance for the residents living along The Street.

The Parish Council is concerned that there is insufficient parking provided in the proposed layout for the number of dwellings and residents, and particularly for visitors, contrary to Policy DP26 of the adopted District Plan and Policy BOLT1 of the Bolney Neighbourhood Plan.

The Parish Council is unhappy with the location of the play area proposed for the eastern boundary of the site between Plots 190,191 and 192 and the back of the gardens of the existing houses on The Street. The Parish Council suggests that this is an insensitive location so close to existing houses, and that the play area must be moved away from the houses on The Street to reduce disturbance and noise for the amenity of residents.

4. Scale

The Parish Council considers that some of the proposed building heights, locations and overall massing are not appropriate in this sensitive village-edge location, particularly along the eastern boundary adjacent to The Street and along the PRow to the north.

The two storey buildings along the eastern boundary will dominate the existing housing along The Street and the Parish Council suggests that single storey houses would be more appropriate in this location.

The continuous built-up frontage along the northern boundary of the site along the PRow that runs along the boundary is inappropriate and will create an unacceptable urban character. The Parish Council suggests that moving the building line away from the northern boundary, improving the landscape buffer, removing some of the buildings to create gaps, and changing the designs to include a mix of building heights could improve the frontage to the PRow.

The applicant must do more to ensure the development is less visually prominent where the site adjoins the village, and sensitive countryside and important views before this application is determined.

5. Other concerns

Cycle link to PRow44Bo

There is a suggestion in the applicant's proposals that as well as a pedestrian link from the site to PRow44Bo, that a cycle link will also be included from the site to the PRow. It is not legal for a PRow to be used by cyclists, so any reference to the proposed cycle access must be removed.

Pedestrian and cycle access over third party land

Likewise there is a suggestion of a pedestrian and cycle access from the site over third party owned land onto The Street. Having investigated these proposals it appears that the deeds for Foxhole Farm (building) include a right of way over a car park off The Street. It is the position of the Parish Council that the exercise of a right of way created for the benefit of residents of a single residential building, by the residents of 200 new houses, would be regarded by the courts as an excessive use of the right of way and would not be supported. The applicant has failed to demonstrate that there is a legal right for the new residents to pass and re-pass over this private land. Further, it does not appear that this proposed access is included in the

s106 legal agreement associated with the application for outline planning permission DM/25/1129 so all references to this proposed access should be removed from the current application. If it is determined that a right of way exists for the new residents, then the applicant must demonstrate what agreement has been reached with the owner of the land to install physical works on the land to make the access safe, such as improved road surface, safety barriers and lighting, whilst maintaining the existing rights of way granted for vehicles over the same land for the benefit of others to gain access to adjacent workshops and electricity substations.

Drainage

Given the existing persistent flooding in the north east and southern parts of the site in particular, the Parish Council is concerned that the applicant's proposals for surface water drainage are insufficient. It is concerned to note that the water in the southern part of the site is planned to discharge into an open watercourse on third party land without any evidence that this watercourse has the capacity to take water from the site, or what legal agreements and arrangements have been made by the applicant for the discharge to demonstrate that the arrangement accords with Policy DP41 of the adopted District Plan.

Further, in response to the Regulation 18 consultation on the draft District Plan currently at Examination, Southern Water, the local sewage network provider, responded in the consultation and advised that 'the proposals for 200 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development' and that 'connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation'. It concluded that occupation of the development must align with the delivery of sewerage infrastructure.

The Parish Council insists that this planning application is not determined until Southern Water has been satisfied by the applicant that occupation of the development will be aligned with the requisite infrastructure upgrade to accord with Policy DP42 of the adopted District Plan.

Water resources and water efficiency

The dry summer of 2026 has demonstrated just how stressed the water supply across the District is. The Parish Council asks that this planning application is not determined until South East Water has been consulted and confirms that there is sufficient capacity in its network to supply water to the new homes in the development.

The Parish Council supports the concerns expressed by the WSCC Lead Local Flood Authority about the applicant's current drainage proposals, and insists that rainwater harvesting, including the installation of rainwater butts, must be incorporated into the applicant's SuDS scheme. The Parish Council also asks that greywater recycling be integrated into the development to reduce water usage and to achieve sustainable water consumption rates to accord with Policy DP42 of the adopted District Plan.

Conclusion

For the reasons set out above, Bolney Parish Council considers that the current Reserved Matters proposal has not yet demonstrated that the detailed layout, scale, appearance and landscaping satisfactorily integrate the development into Bolney and its sensitive countryside and heritage setting. It also considers that there are other outstanding matters that need to be addressed before the application can be determined.

It therefore asks Mid Sussex District Council to refuse application DM/26/1961, or alternatively to require substantial amendments to the Reserved Matters before approval is granted with particular attention given to:

1. reducing the visual prominence and massing of development at sensitive site edges;
2. strengthening landscape buffers and boundary planting;

3. ensuring appropriate building heights and roof forms;
4. ensuring a high-quality and locally appropriate architectural treatment;
5. securing appropriate separation and privacy between new and existing properties;
6. securing the views of the MSDC Conservation Officer on the applicant's Heritage Compliance Statement and the impact of the development on the Bolney Conservation Area and heritage assets close to the site;
7. securing the long-term maintenance of landscape and open-space areas;
8. the proposed pedestrian and cycle links to ProW44Bo and over third party land; and
9. an adequate water supply to serve the development, sufficient capacity for foul water aligned to the occupation of the development and an adequate SuDS scheme.